

REMARKS

Claims 1-11 are all the claims pending in the present application, new claim 11 having been added as indicated herein. Claims 1-3 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Franchitto (U.S. Patent No. 5,724,946). Claims 4-10 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Franchitto. Applicants traverse these rejections at least based on the following reasons.

§102(b) Rejections (Franchitto) - Claims 1-3

The Examiner rejects claims 1-3 for the reasons set forth on page 2 of the present Office Action.

With respect to independent claim 1, Applicants submit that Franchitto does not teach or suggest at least, “wherein a band-shaped protrusion extends in the radial direction from a flange portion of a connecting pipe member arranged on said fuel distribution pipe...,” as recited in claim 1. That is, the Examiner alleges that the injector cup 12 corresponds to the claimed band-shaped protrusion, however, the injector cup 12 does not extend in a radial direction from a flange portion of a connecting pipe member arranged on a fuel distribution pipe. Yet further, the Examiner has not even established what component of Franchitto allegedly corresponds to the claimed flanged portion and connecting pipe member. Yet even further, the injector cup 12 is appropriately named because it is a cup-shaped component for receiving a mounting end of a field injector, however, the cup-shaped injector cup clearly does NOT satisfy the claimed band-shaped protrusion. Therefore, at least based on the foregoing, Applicants submits that independent claim 1 is patentably distinguishable over Franchitto.

Applicants submit that independent claims 2 and 3 are patentable at least for reasons similar to those set forth above with respect to claim 1.

Further, with respect to independent claim 3, Applicants submit that Franchitto does not teach or suggest at least, “said fuel injection valve is provided with a snap spring that is fitted into said fitting hole and extends in the axial direction of said fuel injection valve,” as recited in claim 3. That is, the Examiner alleges that the locking pin 232 of Franchitto corresponds to the claimed snap spring and further states, “it is anticipated that the diagonally oriented locking groove (318) cause the locking pin 232 to snap, thereby acting as a snap spring.” Applicants submit, however, that the locking pin 232 simply slides into the locking groove 318, however, the locking pin is NOT a spring and does not perform any springing action. Therefore, at least based on the foregoing, Applicants submit that independent claim 3 is patentably distinguishable over Franchitto.

§103(a) Rejections (Franchitto) - Claims 4-10

The Examiner rejects claims 4-10 for the reasons set forth on page 3 of the Office Action.

First, Applicants submit that dependent claims 4-10 are patentable at least by virtue of their respective dependencies from independent claims 1-3.

On page 3 of the Office Action, the Examiner characterizes the limitation set forth in claims 4-10 as “optional changes in the shape of the band shaped protrusion” and alleges that it would have been an obvious matter of design choice to a person of ordinary skill in the art to provide the band shape protrusion with a narrow portion, or a thin wall portion because Applicant has not disclosed that doing so provides an advantage, is used for a particular purpose or solves a stated problem.” In response, Applicants submit that the Examiner has obviously used impermissible hindsight reasoning in coming to his conclusions because, as indicated above, nowhere does Franchitto even mention a band-shaped protrusion, and therefore the alleged optional changes or obvious matters of design choice would not have been even an option in Franchitto, because there is no band-shaped

protrusions to speak of in Franchitto. Therefore, at least based on the foregoing, Applicants submit that dependent claims 4-10 are patentable over Franchitto.

Finally, Applicants add dependent claim 11, as indicated herein, to provide a varying scope of coverage. Applicants submit that this new claim is patentable at least by virtue of its dependency from independent claim 3.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

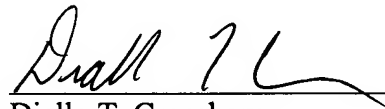
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